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CLERK, US DIST. COURT  
EASTERN DIST. OF CALIF  
AT FRESNO  
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9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 JOE FLORES, an individual; and CONNIE  
12 FLORES, an individual,

13 Plaintiffs,

14 vs.

15 EMERICH & FIKE, a professional  
16 corporation, et al.

17 Defendants.

Case No. 1:05-CV-00291-REC-DLB

EX PARTE APPLICATION FOR  
ORDER STAYING PROCEEDINGS  
AS TO DEFENDANT SANDY L.  
VARTAN AND ORDER STAYING  
PROCEEDINGS

18 On May 26, 2005, this Court stayed proceedings in this action as to a number of  
19 Defendants because Plaintiffs' claims against them "concern property of or belonging to the  
20 bankruptcy estate." (See DOC. 72.)

21 At the time the stay order was entered, defendant Sandy L. Vartan was in the process  
22 of retaining counsel to represent her and she had not entered an appearance in this action.

23 The claims made by Plaintiffs against defendant Sandy L. Vartan appear to be the  
24 same as the claims made against the Defendants named in the Court's stay order. (DOC. 72.)

25 Accordingly, it seems expeditious and appropriate for the Court to enlarge the stay order to  
26 include defendant Sandy L. Vartan and, through counsel, she requests an ex parte order  
27 staying the proceedings as to her.

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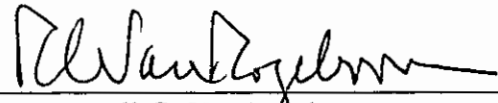
An ex parte application is appropriate under the circumstances in that: (1) defendant Sandy L. Vartan's time to respond to the 141-page complaint expires June 3, 2005, and her legal counsel needs additional time to respond; (2) the claims made against her appear to be the same as claims for which a stay was issued so it is logical proceedings against her should be stayed as well; (3) Plaintiffs were requested via email to stipulate to a stay or, alternatively, extend additional time to Sandy L. Vartan to respond to the 141-page complaint but Plaintiffs have ignored the email request.

Wherefore, defendant Sandy L. Vartan requests an ex parte order staying the proceedings as to her because such claims concern property of or belonging to the bankruptcy estate.

DATED: June 3, 2005.

Respectfully submitted,

CASWELL BELL & HILLISON LLP

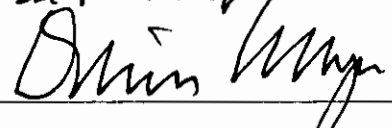
By   
Russell G. VanRozeboom, attorneys for  
defendant Sandy L. Vartan

**ORDER STAYING PROCEEDINGS AS TO SANDY L. VARTAN**

Based upon the ex parte application of defendant Sandy L. Vartan, the Court's prior order staying proceedings (DOC. 72), and good cause appearing,

*the time for any response to the complaint is extended until further order of the court pending*  
The claims in this case against Sandy L. Vartan are **STAYED** because they concern *the outcome of the motion to dismiss and OSC re application of*  
*the automatic stay as to the Emerald and Pike defendants.*  
property of or belonging to the bankruptcy estate.

DATED: June 3, 2005.

  
Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE